THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4676 OF 1999

DATED 20th FEBRUARY, 2006

BETWEEN

Sanapala Sanyasayya

… Petitioner

and

The Mandal revenue officer, Chinagadili,

Visakhapatnam Rural, Visakhapatnam and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4676 OF 1999

ORDER:

The petitioner claims to be in possession of the land belonging to the second respondent in survey No.296 admeasuring Acs.4.60 in Adavivaram village of Visakhapatnam Rural Mandal. It is his case that his grandfather Sanapala Polivadu took the land on permanent lease in the name of his grandmother Muttemma in 1915 under a registered lease deed No.165, dated 22.02.1915 from Sanapala Yerikamma. The petitioner also alleges that his lessor's ancestors were granted the land in the year 1711 A.D. by Maharaja of Vizianagaram and since then the petitioner's ancestors and petitioner have been paying the sist regularly to Vizianagaram Treasury. It appears after abolition of Inams under A.P. (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956, second respondent was granted occupancy rights. By reason of the said proceedings, second respondent asked the petitioner to vacate the land. Therefore, the present writ petition is filed.

It appears there is a rival claim by the third respondent in respect of the same land and the petitioner instituted a suit being O.S.No.38 of 1990 on the file of the Court of the II Senior Civil Judge, Visakhapatnam. In view of the same, the petitioner seeks leave of this Court to pursue the suit. Giving liberty to do so, the writ petition is dismissed as withdrawn. No costs.

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(V.V.S.RAO,J)

20.02.2006.

pln